

**17—4.21 (231) Requirements for processing area plans, plan amendments and revisions.**

**4.21(1) *Public hearing(s).*** The AAA shall hold at least one public hearing on the multiyear area plan and include priority services and priority services requirements in 321—subrule 6.12(1) of these rules as a distinct agenda item in the public hearing as required in 321—subrule 6.12(2). The area agency shall hold a public hearing regarding all amendments specified in subrule 4.21(4).

*a.* The public hearing(s) shall be held prior to submission of the multiyear area plan or amendment at a time and barrier-free location which permits older persons, public officials, and other interested parties reasonable opportunity to participate.

*b.* Adequate notice shall be provided to older persons, public officials and other interested parties of the times, dates, and locations of the public hearing(s).

**4.21(2) *Review and comment by the advisory council and intergovernmental review.*** The AAA shall submit the multiyear area plan and amendments for review and comment to the AAA advisory council and to the appropriate agency for intergovernmental review.

**4.21(3) *Submission.*** AAAs shall submit the multiyear area plan and amendments to the commission for approval following procedures issued by the department.

**4.21(4) *Amendments and revisions to the area plan.***

*a. Amendments.* The AAA shall amend the multiyear area plan and submit it to the commission for approval if:

(1) A new or amended state or federal statute or regulation requires a new provision or conflicts with any existing plan provision.

(2) A United States Supreme Court decision changes the interpretation of a statute or regulation;

(3) Local law, organization, policy or agency operation changes and is no longer accurately reflected in the multiyear area plan;

(4) The department requires amendments; or

(5) The grantee proposes to change the designation of the single organizational unit or component unit.

(6) The area agency proposed to add or delete a service category.

*b. Revision.* The area agency may be required to revise the multiyear plan and submit it to the department for approval if:

(1) A department funding source to the area agency changes;

(2) A program requirement changes.

**4.21(5) *Approval or disapproval of a multiyear area plan, plan amendments and revisions.***

*a.* Approval or disapproval. The commission or department shall approve a multiyear area plan, a plan amendment or a revision which meets the established criteria for approval.

*b.* The multiyear area plans and plan amendments shall be approved by the commission after the plan or amendment has undergone intergovernmental review, public hearing(s), review by the area advisory council, approval by the grantee agency, assurance that there are signed contracts for service, and after review of recommendations by the department.

**4.21(6) *Appeal.*** If any applicant wishes to appeal a denial of approval or conditions for approval on the multiyear area plan or plan amendments, that applicant shall be offered the opportunity for an appeal as provided in rule 321—2.7(231).